

<sup>3</sup> *Id.* at § 501.3(e).

recent OWCP decision, which was dated November 2, 2018, was May 1, 2019. As appellant did not file an appeal with the Board until July 26, 2020, more than 180 days after the November 2, 2018 decision, the Board finds that the appeal docketed as No. 20-1436 is untimely filed. The Board is, therefore, without jurisdiction to review the appeal. Appellant has not offered a reason to explain his failure to timely file an appeal with supporting documentation sufficient to establish compelling circumstances. As there is no final adverse decision issued by OWCP within 180 days of the filing of this appeal over which the Board may properly exercise jurisdiction, the Board concludes that the appeal docketed as No. 20-1436 must be dismissed.

To the extent that this appeal constitutes a petition for reconsideration of the Board's June 30, 2020 order dismissing petition for reconsideration in Docket No. 19-0963, the Board finds that the petition for reconsideration is dismissed. In its June 30, 2020 order, Board dismissed a prior petition for reconsideration under Docket No. 19-0963 as untimely filed. There is no provision in FECA<sup>4</sup> or in the Board's *Rules of Procedure*<sup>5</sup> for filing a petition for reconsideration from the dismissal of a petition for reconsideration. As such, the Board concludes that it lacks jurisdiction to either grant or deny petition for reconsideration with regard to Docket No. 19-0963.<sup>6</sup> Accordingly, the petition for reconsideration with regard to Docket No. 19-0963 must be dismissed.

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<sup>4</sup> 5 U.S.C. § 8101 *et seq.*

<sup>5</sup> 20 C.F.R. § 501.7.

<sup>6</sup> See *John A. Johnson*, 44 ECAB 602 (1993) (wherein the Board dismissed appellant's petition for reconsideration of a denial of a petition for reconsideration, finding no basis to file a second petition for reconsideration, pursuant to 20 C.F.R. § 501.7(a)).

**IT IS HEREBY ORDERED THAT** the appeal docketed as No. 20-1436 is dismissed.

**IT IS FURTHER ORDERED THAT** the petition for reconsideration in Docket No. 19-0963 is dismissed for lack of jurisdiction.

Issued: September 27, 2021  
Washington, DC

Janice B. Askin, Judge  
Employees' Compensation Appeals Board

Patricia H. Fitzgerald, Alternate Judge  
Employees' Compensation Appeals Board

Valerie D. Evans-Harrell, Alternate Judge  
Employees' Compensation Appeals Board